IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 2ND FEBRUARY 2007 / 13TH MAGHA 1928

Bail Appl..No. 690 of 2007()

CC.354/2006 of J.M.F.C.-II,PATHANAMTHITTA
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PETITIONER

BABU G.NAIR,
AGED 49 YEARS, S/O.GOPALA PILLA,
KANJIRAKKATTU HOUSE, EDACON, KANJOOR,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.K.A.MANZOOR ALI

RESPONDENTS:

STATE OF KERALA, REP. BY S.I. OF
POLICE, KOOTAL POLICE STATION, THROUGH
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 690 of 2007

DATED: 2nd February 2007

O R D E R

Petitioner who is the husband of Thankamani Amma, the de facto complainant and who is the first accused in Crime No. 124/05 of Kootal Police Station for an offence punishable under Sec. 498 A read with Sec. 34 I.P.C. seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner before the J.F.C.M - II, Pathanamthitta where the case is pending as C.C. 354/06, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. But at the same time, having regard to the fact that the petitioner has been abroad and he evinces an intention to come back and settle the matter, I am inclined to direct the enlargement of the petitioner on bail. Accordingly, if the petitioner surrenders before the magistrate and files an

application for regular bail within two weeks from today, he shall be released on bail by the Magistrate on appropriate conditions including one ensuring his presence for the trial.

With the above observation this application is disposed of.

V.RAMKUMAR, JUDGE.

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